

Dec 18, 2019

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

CAROLINE M.,

Plaintiff,

v.

ANDREW M. SAUL,
COMMISSIONER OF SOCIAL
SECURITY,¹

Defendant.

NO: 2:19-CV-109-FVS

ORDER GRANTING STIPULATED
MOTION FOR REMAND

BEFORE THE COURT is the Defendant's Stipulated Motion for Remand,
ECF No. 14. Based on the stipulation of the parties, the Court finds good cause to
grant the motion.

¹ Andrew M. Saul is now the Commissioner of the Social Security
Administration. Accordingly, the Court substitutes Andrew M. Saul as the
Defendant and directs the Clerk to update the docket sheet. *See* Fed. R. Civ. P.
25(d).

1 Accordingly, **IT IS HEREBY ORDERED:**

2 1. Defendant's Stipulated Motion for Remand, **ECF No. 14** is **GRANTED**.

3 2. This case is **REVERSED** and **REMANDED** for further administrative
4 proceedings including a *de novo* hearing pursuant to sentence four of 42
5 U.S.C. § 405(g).

6 3. On remand, the Administrative Law Judge shall update the medical
7 record, offer Plaintiff the opportunity for a hearing, and issue a new
8 decision. The ALJ shall also:

- 9 • Consider new evidence, including evidence from Christopher Dewing,
10 M.D., and Ellen Ethington, Psy.D.;
- 11 • Reevaluate Plaintiff's impairments at steps two;
- 12 • Reevaluate the medical opinion evidence of record and explain the
13 weight given to such opinion evidence;
- 14 • Reassess Plaintiff's residual functional capacity;
- 15 • Reevaluate whether Plaintiff can perform the physical and mental
16 demands of her past relevant work; and
- 17 • Proceed with the remaining steps of the sequential evaluation process.

18 4. Upon proper presentation, this Court will consider Plaintiff's application
19 for costs, expenses, and reasonable attorney's fees under the Equal
20 Access to Justice Act, 28 U.S.C. § 2412(a), (d).

21 5. Plaintiff's Motion for Summary Judgment, **ECF No. 10**, and the hearing

1 and remaining briefing schedule are **vacated** as moot.

2 **IT IS SO ORDERED.** The District Court Clerk is directed to enter this
3 Order and provide copies to counsel. Judgment shall be entered for Plaintiff and
4 the file shall be **CLOSED**.

5 **DATED** December 18, 2019.

6
7 *s/ Rosanna Malouf Peterson*
8 ROSANNA MALOUF PETERSON
9 United States District Judge
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